

### **CERTIFICATE OF MAILING**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA/22313,1450

**Burton Rodney** 

Type or print name

September 8, 2004

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit: 1625

CHENG ET AL.

Examiner: Charanjit Aulakh

**APPLICATION NO: 10/616,283** 

FILED: JULY 8, 2003

FOR: SUBSTITUTED HETEROCYCLIC DERIVATIVES USEFUL AS

ANTIDIABETIC AND ANTIOBESITY AGENTS AND METHOD

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

### PETITION PURSUANT TO 37 CFR §1.97(d)

Sir:

Consideration of the Information Disclosure Statement submitted concurrently herewith is requested. Please charge Deposit Account No. 19-3880 in the name of Bristol-Myers Squibb Company in the amount of \$180 for payment of the fee for filing this petition.

An additional copy of this paper is here enclosed. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 19-3880 in the name of Bristol-Myers Squibb Company.

09/13/2004 CNGUYEN 00000056 193880

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Respectfully submitted,

**Bristol-Myers Squibb Company** Patent Department

P.O. Box 4000

Princeton, NJ 08543-4000

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Date: September 8, 2004

**Burton Rodney** 

Attorney for Applicants

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# Certificate under 37 C.F.R. §1.97(e)(1)

I, the undersigned attorney, hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.

Respectfully submitted,

Attorney for Applicants

**Burton Rodney** 

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Date: September 8, 2004

FORM PTO-1449 (REV. 7-85)

SEP 1 0 2004

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

## **INFORMATION DISCLOSURE CITATION**

(Usa several sheets if necessary)

ATTY. DOCKET NO. LA0085 NP APPLICATION NO. 10/616,283 APPLICANT CHENG ET AL. FILING DATE JULY 8, 2003

Group 1625

### U.S. PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE
AA	6,414,002	7/2/02	Cheng et al.			
AB						
AC						
AD						
AE						
AF						
AG			·			
AH						-
AI						
AJ						
AK						
AL						•
	AB AC AD AE AF AG AH AI AJ AK	AB AC AD AE AF AG AH AI AJ	AB AC AD AE AF AG AH AI AJ	AB	AB	AB

	DOCUMENT NUMBER	DATE	OFFICE	CLASS	SUBCLASS	TRAN YES	SLATION NO
 AM	WO 97/31907 A1	9/4/97	PCT				
AN	WO 99/46232 A1	9/16/99	PCT				
AO							
AP							
AQ							

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent pages, Etc.)

	<u> </u>
AR	Cobb et al., "N-(2-benzoylphenyl)-L-tyrosine PPAR gama agonist 3. Structure-activity relationship and optimization of the N-aryl substituent". Journal of Medicinal Chemistry, 1998, Vol. 41, No. 25, pages 5055-5069.
AS	
AT	
EXAMINER	DATE CONSIDERED

\*EXAMINER: Initial of reference considered, whether or not citation is in conformance with MPEP 609: Draw a line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.